IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
WRIT PETITION NO : 3643 of 2001

Between:
K.Srinivasa Rao, S/o.Sri Venkanna
aged about 33 years, R/o.Chagallu (Post&Mandal)
West Godavari District

..... PETITIONER

AND

1. The Vice-Chairman & Managing Director
   Nizam Sugars Limited, Shakkar Bhavan
   Fathe Maidan Road, Khairatabad
   Hyderabad-4.
2. The General Manager
   Nizam Sugar Limited (Distillery Unit)
   Chagallu (Post & Mandal)
   West Godavari District.

3. Principal Secretary to the Government of A.P.,
   Implementation, Secretariat, Secretariat Buildings,
   Hyderabad.

4. The Chairman,
   Nizam Deccan Sugars Ltd.,
   Delta Chamber, Somajiguda,
   Hyderabad.

   (RRs. 3 and 4 were impleaded as per Court order dated
   17.6.2004)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not regularizing petitioner's services and not placing me on regular pay-scales from the date of petitioner's training period as

illegal, arbitrary and consequently direct the respondents to regularize petitioner's services from the date of petitioner's training period and place me on regular pay-scales and with all the benefits which flows from such a regularization and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.V.DURGA RAO, ADVOCATE

Counsel for the Respondents 1 and 2: MR.N.VASUDEVA REDDY

Counsel for the Respondents 3 and 4:

The Court made the following :

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HONOURABLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

WRIT PETITION No.3643 OF 2001

ORDER:

Petitioner, during the pendency of the writ petition has opted for Voluntary Retirement Scheme in terms of G.O. Ms. No.14, Public Enterprises Department, dated 1.5.2002 without any condition. The same was accepted. Petitioner was relieved from service on 31st October, 2002. Respondent-company paid V.R.S. benefits to the petitioner and the same were accepted by the petitioner without any protest. Under these circumstances, there is no cause surviving for the petitioner.

Learned counsel for the petitioner states that petitioner had no option except to opt for VRS and accordingly he opted for VRS and got the benefits.

May be that the petitioner opted for V.R.S. according to the scheme framed by the respondent-Company, but, in case the petitioner continued in service, it was, but necessary for him to have opted for VRS without prejudice to his rights and contentions. Having not reserved any such right, petitioner is not entitled for any relief in the writ petition.

The writ petition is accordingly dismissed. No costs.

17th June, 2004

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Vice-Chairman & Managing Director
   Nizam Sugars Limited, Shakkar Bhavan

Fathe Maidan Road, Khairatabad
Hyderabad-4.

2. The General Manager
Nizam Sugar Limited (Distillery Unit)
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5. 2 CD Copies.